

REMARKS

Applicants thank the Examiner for the careful consideration of this application. Claims 1-27, and 30 are currently pending. Claims 1-16 and 30 have been withdrawn from consideration. Claims 17 and 22 have been amended. Claims 28 and 29 have been cancelled, without prejudice. Based on the foregoing amendments and the following remarks, the Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Objections to the Claims

The Office Action objected to claims 28 and 28 under 37 C.F.R. § 1.75(c) for allegedly being of improper dependent form. Solely to expedite prosecution of this application, claims 28 and 29 have been cancelled, without prejudice.

Rejections under 35 U.S.C. § 112

The Office Action rejected claims 17-29 under 35 U.S.C. § 112, second paragraph, as being indefinite due to antecedent basis errors in claims 17 and 22. Claims 17 and 22 have been amended to overcome the inadvertent antecedent basis errors. Therefore, the Applicants respectfully request that the rejections under 35 U.S.C. § 112 be withdrawn.

Rejections under 35 U.S.C. § 102

The Office Action rejected claims 17-27 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,593,706 to Preston. Claim 17 is the sole independent claim. Claim 17 has been amended solely to expedite prosecution of this application. The amendments to claim 17 are supported, for example, by paragraphs 16, 17, 19, 25, and 56 of the original specification, as well as original claim 16. The Applicants respectfully traverse this rejection for the following three reasons.

First, Preston does not disclose “[a]n arrangement for processing a mass of filter material comprised of fibers of finite length,” as recited by amended claim 17. The Office Action aligns the filter tow 10 of Preston with the claimed “mass of filter material.” However, the filter tow 10 of Preston is not “comprised of fibers of finite length,” as claimed. Instead, the filter tow 10 is a stream of *continuous* fibers that is engaged by pins 15 of a roller 16 and broken into portions of various lengths. (See Preston at column 3, lines 39-48.) Therefore, Preston does not disclose “[a]n arrangement for processing a mass of filter material comprised of fibers of finite length.”

Second, Preston does not disclose a “metering device to effect a controlled metering of [] fibers of finite length to the at least one separating device,” as recited by amended claim 17. The Office Action aligns the rollers 11 and 12 of Preston with the claimed “metering device.” However, the rollers 11 and 12 are inoperable to “effect a controlled metering of [] fibers of finite length,” as claimed, because the rollers 11 and 12 are designed to convey a *continuous* stream of fibers in the form of filter tow 10. Therefore, Preston does not disclose a “metering

device to effect a controlled metering of [] fibers of finite length to the at least one separating device.”

Third, the rollers 11, 12 of Preston do not constitute a “metering device” as claimed. One of ordinary skill in the art would understand a “metering device” to be a device used to even out variations in the flow of fiber material. Examples of such a “metering device” are the rotary vane feeder 26 of Figure 3 of the present application, or the metering device 112 of Figure 4. The rollers 11, 12 of Preston merely cooperate with rollers 3, 14 to *stretch* the filter tow 10. (*See* Preston at column 3, lines 35-38.) Nowhere does Preston disclose that the rollers 11, 12 operate as a metering device. Therefore, for this additional reason, Preston does not disclose a “metering device to effect a controlled metering of [] fibers of finite length,” as recited by claim 17.

The Applicants respectfully submit that claim 17 is patentable over Preston for at least the three reasons set forth above. Claims 18-27 depend from claim 17, and are patentable for at least the same reasons.

Rejections under 35 U.S.C. § 103

The Office Action rejected claims 28 and 29 under 35 U.S.C. § 102(b) as being anticipated by Preston, or alternatively, under 35 U.S.C. § 103(a) as being obvious over Preston. Claims 28 and 29 have been cancelled, without prejudice, thereby rendering this rejection moot.

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Appl. No.: 10/815,959

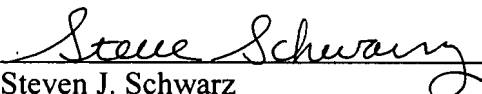
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants, therefore, respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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